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May 15, 2018

By ECF

Magistrate Judge A. Kathleen Tomlinson
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *W.S. Badger Company, Inc. v. CMX Process Technologies, LLC*,
Civ. No 16-1291 (JFB) (AKT) (E.D.N.Y.)

Dear Judge Tomlinson:

This firm represents plaintiff W.S. Badger Company, Inc. (“Badger”) in the above-referenced matter. Pursuant to Your Honor’s Order dated April 9, 2018, we submit this joint status report on behalf of all parties that have appeared in the case.

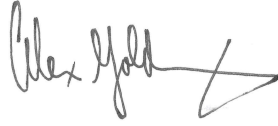
As explained in my letter dated April 6, 2018, Badger’s claims against defendant Doug Cohen are presently automatically stayed by a pending Bankruptcy Court proceeding (*In re Doug Cohen*, Case No: 17-73474-ast (Bankr. E.D.N.Y.)) (the “Bankruptcy Action”), in which the parties to this case, each represented by bankruptcy counsel, reached a resolution that would result in dismissal of all claims. Although the Bankruptcy Action was expected to conclude in April with the Court’s approval of the Plan of Reorganization (the “Plan”), the approval process was delayed because the United States Trustee objected to Mr. Cohen’s treatment of student loans in the Plan. We understand that Mr. Cohen and the United States Trustee are resolving the student loan issue in the Bankruptcy Action, and that the Bankruptcy Court has rescheduled the confirmation hearing for July 25, 2018. We also understand that the student loan issue should not affect the settlement that was reached between the parties to this case, and that assuming the Plan is approved on or about July 25, 2018, the parties will file a stipulation of dismissal in this action.

Because the Bankruptcy Action will not be resolved until at least July 25, 2018, we respectfully suggest that the parties submit another joint status report on or before July 31, 2018 to keep Your Honor informed of where things stand.

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We thank Your Honor for your consideration of this letter and would be happy to answer any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alex Gold", followed by a long, sweeping horizontal stroke that ends in a small upward flick.

Alexander Goldenberg

cc: Kenneth Seidell, Esq. (by ECF)